

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

AVERY LAMAR MILLER,

Plaintiff,

v.

BRAD HOOKS, Warden,

Defendant.

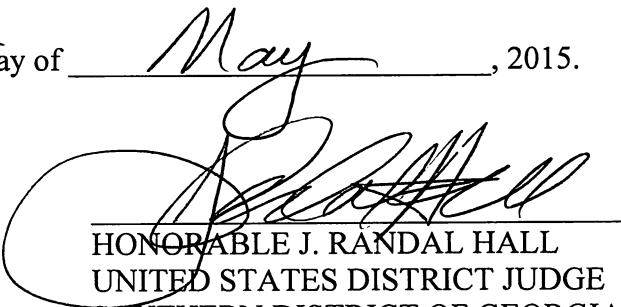
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CIVIL ACTION NO.: CV614-090

**ORDER**

After an independent and *de novo* review of the entire record, the undersigned concurs with the Magistrate Judge's Report and Recommendation, to which no Objections were filed. The order granting Plaintiff's motion to proceed *in forma pauperis*, dated November 26, 2013, and signed by a United States Magistrate Judge in the Middle District of Georgia, (Doc. 8), is **VACATED**, and Plaintiff's motion to proceed *in forma pauperis* is **DENIED**. Defendant's unopposed Motion to Dismiss, (Doc. 71), is **GRANTED**. Plaintiff's Complaint is **DISMISSED**, without prejudice, based on the provisions of 28 U.S.C. § 1915(g). The Clerk of Court is directed to enter the appropriate judgment of dismissal and to **CLOSE** this case.

SO ORDERED, this 14<sup>th</sup> day of May, 2015.

  
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HONORABLE J. RANDAL HALL  
UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF GEORGIA